

Attorney ECOCKEN TER AGO 2007

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ATENT AND TRADEMARY OF THE COLUMN TRADEM

In re Application of:

FAN et al.

Serial No. 09/779,202

Filed: February 7, 2001

For:

NUCLEIC ACID DETECTION

METHODS USING UNIVERSAL

**PRIMING** 

Examiner: NOT YET ASSIGNED

Group Art Unit: 1645

#### CERTIFICATE OF MAILING

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Signed:

Christine P. Peters

# INFORMATION DISCLOSURE STATEMENT AND STATEMENT OF RELATEDNESS

Assistant Commissioner for Patents Washington, DC 20231

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicant wishes to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO-1449. Copies of the documents are enclosed herewith.

With respect to patent applications, the applicants point out their duty under M.P.E.P. §2001.06(b) to disclose relevant patent applications of which they are aware. To this end, the applicants draw the Examiner's attention to the following patent applications:

1. U.S.S.N. 08/944,850, filed October 6, 1997; U.S.S.N. 09/287,573, filed April 6, 1999.

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. U.S.S.N. 08/818,199, filed March 24, 1997, now Patent No. 6,023,540; U.S.S.N.

U.S.S.N. 09/450,829, filed November 29, 1999; U.S.S.N. 09/816,651, filed March 23, 2001; U.S.S.N. 09/840,012, filed April 20, 2001.

- United States Serial Number 09/189,543, filed November 10, 1998; U.S.S.N.
   09/344,526, filed June 24, 1999; U.S.S.N. 09/748,706, December 22, 2000.
- 4. U.S.S.N. 09/256,943, filed February 24, 1999; U.S.S.N. 09/473,904, filed December 28, 1999; U.S.S.N. 09/606,369, filed June 28, 2000.
- 5. U.S.S.N. 09/553,993, filed April 20, 2000; U.S.S.N. 09/556,463, filed April 21, 2000.
- 6. U.S.S.N. 09/425,633, filed October 22, 1999; U.S.S.N. 09/535,854, filed March 27, 2000.
  - 7. U.S.S.N. 09/517,945, filed March 3, 2000.
  - 8. U.S.S.N. 09/513,362, filed February 25, 2000.

None of the foregoing references are believed to disclose the invention as claimed.

Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

This Information Disclosure Statement is being filed within three months of the filing date of a national application, within three months of the date of entry of a national stage, or

**Serial No.**: 09/779,202 **Filed**: February 7, 2001

before the mailing date of a first Office Action on the merits. 37 C.F.R. § 1.97(b), and therefor no fee is required. The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-69850-1/DJB/RMS/DCF).

Respectfully submitted,

FLEHR, HOHBACH, TEST, ALBRITTON & HERBERT

Dated: May 31,2001

David C. Foster Reg. No. 44,685

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Complete if Known Substitute for form 1449A/PTO 09/779,202 **Application Number** INFORMATION DISCLOSURE Filing Date February 07, 2001 STATEMENT BY APPLICANT ЛАN-BING FAN et al. First Named Inventor Group Art Unit (use as many sheets as necessary) NOT YET ASSIGNED Examiner Name A-69850-1/DJB/RMS/DCF of Attorney Docket Number 6 Sheet

ſ			U.S. PATENT DOC	UMENTS	
Examiner	Cite No.1	U.S. Patent Document	Name of Patentee or Applicant	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant
Initials*		Number Kind Cod (if know	e	MM-DD-YYYY	Passages or Relevant Figures Appear
	1	4,200,110	Peterson et al.	4/1980	
	2	4,499,052	Fulwyler	2/1985	
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	15	5,244,636	Walt et al.	9/1993	

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	16	EP	0 269 764			6/1988		$\bot$
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	26	wo	98/40726			9/1998		

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<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.

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Application Number	09/779,202					
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Group Art Unit	1645					
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Attorney Docket Number	A-69850-1/DJB/RMS/DCF					

			U.S. PATENT DOC	JMENTS	
Examiner Initials*	Cite No.1	U.S. Patent Document  Kind Code <sup>2</sup>	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		(IJ known)	****	9/1993	1 igures / appeni
	27	5,244,813	Walt et al.		·
	28	5,250,264	Walt et al.	10/1993	
$\checkmark$	29	5,252,494	Walt	10/1993	
J	30	5,254,477	Walt	10/1993	
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$\overline{J}$	43	5,565,324	Still et al.	10/1996	

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	44	wo	98/50782	<del>`</del>		11/1998		
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Attorney Docket Number	A-69850-1/DJB/RMS/DCF				

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	53	5,573,909	Singer et al.	11/1996	
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1/	55	5,633,972	Walt et al.	5/1997	
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		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, scrial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
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Examiner Signature	Date Considered	

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Complete if Known 09/779,202 February 07, 2001 JIAN-BING FAN et al. 1645 NOT YET ASSIGNED **Examiner Name** A-69850-1/DJB/RMS/DCF Attorney Docket Number

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Examiner Initials*	Cite No.1	item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Т
	106	Michael et al., "Making Sensors out of Disarray: Optical Sensor Microarrays," Proc. SPIE, 3270: 34-41 (1998).	
	107	Michael et al., "Randomly Ordered Addressable High-Density Optical Sensor Arrays," Anal. Chem. 70(7): 1242-1248 (April 1998).	
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Examiner Signature	Date Considered		

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